

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BERNABE J. NUNEZ-GUZMAN,

Petitioner,

v.

DEPARTMENT OF HOMELAND
SECURITY IMMIGRATION REVIEW,

Respondent.

No. 2:20-cv-00835 TLN GGH P

ORDER

Petitioner is a federal detainee in the custody of the United States Immigration and Customs Enforcement (“ICE”). Petitioner has filed a “Declaration for Default Judgment By Court (Unlawful Detainer Code Civil Proceeding §585(d)).” ECF No. 1. It appears petitioner challenges the Department of Homeland Security’s Immigration Detainer against him. Petitioner is presently incarcerated at the Bluebonnet Detention Center in Anson, Texas. Bluebonnet Detention Center is located in Jones County.¹ Jones County is part of the United States District Court for the Northern District of Texas. Accordingly, the undersigned will order that this case be transferred to the

¹ This case was opened by the Clerk’s Office as a 28 U.S.C. § 2254 case. It is more appropriately designated as a habeas corpus action pursuant to 28 U.S.C. § 2241. To the undersigned’s knowledge no other case involving this petitioner is pending in the Eastern District of California. Jurisdiction over this § 2241 petition is proper only in the district in which petitioner’s immediate custodian is located. See Monk v. Secretary of the Navy, 793 F.2d 364, 369 (D.C. Cir. 1986) (cited in Ortiz-Sandoval v. Gomez, 81 F.3d 891, 895 (9th Cir. 1996)).

1 appropriate district for review. Therefore, this action will be transferred to the United States
2 District Court for the Northern District of Texas.

3 Good cause appearing, IT IS HEREBY ORDERED that this action is transferred to the
4 United States District Court for the Northern District of Texas.

5 Dated: May 18, 2020

6 /s/ Gregory G. Hollows
7 UNITED STATES MAGISTRATE JUDGE
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